

Message Text

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DRAFTED BY EB/IFD/BP:HJWINTER:BT
APPROVED BY EB/IFD/BP:HARVEY J. WINTER
IO/DHP:H GLAZER
L/EB:D WOOD
L/T:L BAUMANN
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TO USMISSION GENEVA

C O N F I D E N T I A L STATE 043950

E.O. 11652:GDS

TAGS: EIND, WIPO

SUBJECT: WIPO: DIPLOMATIC CONFERENCE ON SCIENTIFIC
DISCOVERIES

REF: GENEVA 1940

1. IN LINE WITH PREVIOUS DECISIONS TAKEN BY WIPO WORKING
GROUP ON SCIENTIFIC DISCOVERIES AND APPROPRIATE WIPO
ADMINISTRATIVE BODIES, U.S., LIKE THE UK, WILL NOT OPPOSE
ADOPTION OF TREATY AS LONG AS CERTAIN BASIC PRINCIPLES IN
DRAFT TREATY ARE MAINTAINED.

2. WE AGREE WITH UK POSITION ON DRAFT ARTICLE 3, WHICH
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LIMITS APPLICATION OF TREATY TO NATIONALS OR RESIDENTS OF
A CONTRACTING STATE, AND DRAFT ARTICLE 8, WHICH PROVIDES
ANY PERSON CAN FILE OBSERVATIONS CONCERNING ANY INTERNA-
TIONALLY RECORDED SCIENTIFIC DISCOVERY. IN ADDITION,
U.S. REGARDS ARTICLE 13 ON "FINANCES" OF EQUAL IMPORTANCE
AND BELIEVE THAT BASIC PRINCIPLES OF THIS ARTICLE IN PARA-
GRAPHS (1) AND (3) SHOULD BE MAINTAINED. FURTHER, USDEL

MAY PROPOSE, IF THERE IS CONSENSUS AMONG GROUP B, THAT NEW PARAGRAPH (4) BE ADDED ALONG LINES OF ARTICLE 57(4) OF PATENT COOPERATION TREATY: QUOTE (4) SHOULD ANY FINANCIAL YEAR CLOSE WITH A DEFICIT, THE CONTRACTING STATES

SHALL PAY CONTRIBUTIONS TO COVER SUCH DEFICIT. END QUOTE.

3. U.S. POSITION ON ARTICLE 20, "SIGNATURE AND LANGUAGES OF THE TREATY," IS FLEXIBLE. WE CAN SUPPORT PARAGRAPH (1) OF DRAFT TREATY. HOWEVER, IF THERE IS CONSENSUS AMONG GROUP B FOR SOVIET PROPOSAL THAT RUSSIAN LANGUAGE BE ADDED AS AUTHENTIC TEXT, USDEL COULD ACCEPT THIS PROPOSAL. IN THIS EVENT, WE BELIEVE IT WOULD BE USEFUL IF GROUP B COUNTRIES COULD MAKE STATEMENT FOR RECORD THAT THIS ACTION SHOULD NOT BE REGARDED AS PRECEDENT FOR MAKING RUSSIAN AN AUTHENTIC TEXT OF OTHER WIPO CONVENTIONS. COGNIZANCE IS TAKEN OF FACT THAT THIS TREATY IS RESULT OF SOVIET INITIATIVE AND HAS BEEN SUPPORTED LARGELY BY EASTERN EUROPEAN MEMBER STATES OF WIPO. USDEL COULD ALSO GO ALONG WITH BUDAPEST FORMULA IF THERE IS CONSENSUS AMONG GROUP B COUNTRIES FOR SUCH A LANGUAGE PROVISION.

4. USDEL WELCOMES ITALIAN MISSION'S REQUEST TO ORGANIZE A GROUP B MEETING ON OPENING DAY (FEBRUARY 27) OF SCIENTIFIC DISCOVERIES CONFERENCE. SINCE CONFERENCE WILL BE CONFIDENTIAL

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HELD IN HEADQUARTERS BUILDING OF ILO (ROOM 1X), WE WOULD SUGGEST THAT GROUP B MEETING BE HELD MORNING OF FEBRUARY 27 IN ONE OF ADJOINING ROOMS BEFORE OR AFTER OPENING SESSION. IF MEETING IS TO BE HELD BEFORE OPENING SESSIONS, DELEGATIONS FROM CAPITALS OF GROUP B COUNTRIES WILL OBVIOUSLY HAVE TO BE ADVISED THROUGH MISSIONS IN GENEVA.

5. DEPARTMENT AGREES IT MAY BE USEFUL FOR MISSION TO ORGANIZE GROUP B MEETING WEEK BEFORE CONFERENCE TO DISCUSS LANGUAGES ISSUE AND TO MAKE ARRANGEMENTS FOR GROUP B MEETING ON FEBRUARY 27. VANCE

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Message Attributes

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